

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

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ATTORNEY DOCKET NO.  
3891-0101P

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING:

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title: NETWORK INTERFACE ADAPTER WITH SHARED DATA SEND RESOURCES

Fill in Appropriate  
Information —  
For Use  
Without  
Specification  
Attached

the specification of which is attached hereto. If not attached hereto,

the specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_;  
and amended on \_\_\_\_\_ (if applicable); and/or  
the specification was filed on \_\_\_\_\_ as PCT  
International Application Number \_\_\_\_\_; and was  
amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

### Priority Claimed

Insert Priority  
Information:  
(if appropriate)

(Number)	(Country)	(Month / Day / Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

Insert Provisional  
Application(s):  
(if any)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

60/283,018

April 11, 2001

(Application Number)	(Filing Date)
_____	_____
(Application Number)	(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested  
Information:  
(if appropriate)

Country	Application Number	Date of Filing (Month / Day / Year)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Insert Prior U.S.  
Application(s):  
(if any)

(Application Number)	(Filing Date)	(Status — patented, pending, abandoned)
_____	_____	_____
(Application Number)	(Filing Date)	(Status — patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Raymond C. Stewart	(Reg. No. 21.066)	Terrell C. Birch	(Reg. No. 19.382)
Joseph A. Kolasch	(Reg. No. 22.463)	James M. Slattery	(Reg. No. 28.380)
Bernard L. Sweeney	(Reg. No. 24.448)	Michael K. Mutter	(Reg. No. 29.680)
Charles Gorenstein	(Reg. No. 29.271)	Gerald M. Murphy, Jr.	(Reg. No. 28.977)
Leonard R. Svensson	(Reg. No. 30.330)	Terry L. Clark	(Reg. No. 32.644)
Andrew D. Meikle	(Reg. No. 32.868)	Marc S. Weiner	(Reg. No. 32.181)
Joe McKinney Muncy	(Reg. No. 32.334)	John A. Castellano	(Reg. No. 35.094)
Donald J. Daley	(Reg. No. 34.313)	John W. Bailey	(Reg. No. 32.881)

Send Correspondence to:

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 Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

**PLEASE NOTE:  
 YOU MUST  
 COMPLETE  
 THE  
 FOLLOWING:**

Full Name of First or  
 Single Inventor:  
 Inventor Name of  
 Inventor  
 Date This  
 Document is Signed  
 Residency  
 Citizenship  
 Post Office  
 Address

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Michael	KAGAN		8/8/00
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Full Name of Second  
 Inventor, if any:  
 see above

GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
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Full Name of Third  
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
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Full Name of Fourth  
 Inventor, if any:  
 see above

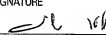
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Ariel	Shachar		9/10/01
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Full Name of Fifth  
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GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
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\* DATE OF SIGNATURE

Full Name of  
Sixth Inventor,  
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GIVEN NAME Gilad	FAMILY NAME Shainer	INVENTOR'S SIGNATURE 	DATE* 11.9.01
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
Full Name of  
Seventh Inventor,  
if any see above

GIVEN NAME Aviram	FAMILY NAME Gutman	INVENTOR'S SIGNATURE 	DATE* 11/9/01
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Full Name of  
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GIVEN NAME Benny	FAMILY NAME Koren	INVENTOR'S SIGNATURE 	DATE* 11/9/01
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Full Name of  
Ninth Inventor,  
if any see above


GIVEN NAME Dafna	FAMILY NAME Levenvirth	INVENTOR'S SIGNATURE 	DATE* 11/9/01
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Full Name of  
Tenth Inventor,  
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GIVEN NAME Gil	FAMILY NAME Bloch	INVENTOR'S SIGNATURE 	DATE* 11/7/01
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\* DATE OF SIGNATURE

Full Name of  
Eleventh Inventor  
if any see above

GIVEN NAME Yael	FAMILY NAME Shenhav	INVENTOR'S SIGNATURE 	DATE* 18.10.01
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POST OFFICE ADDRESS (Complete Street Address including City, State & Country) 42/11 Harofe Street, Haifa, Israel			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME	FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

\* DATE OF SIGNATURE

Applicant or Patentee: KAGAN, Michael et al. Attorneys Docket No. 3891-0101P  
Serial or Patent No.: New  
Filed or Issued: December 4, 2001  
For: NETWORK INTERFACE ADAPTER WITH SHARED DATA SEND RESOURCES

**VERIFIED STATEMENT [DECLARATION] CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) AND 1.27 (c)) – SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below;  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: MELLANOX TECHNOLOGIES LTD.  
ADDRESS OF CONCERN: P.O. Box 86, Yokneam 20692

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purpose of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled **NETWORK INTERFACE ADAPTER WITH SHARED DATA SEND RESOURCES**, by the inventor's Michael Kagan, Diego Crupnicoff, Margarita Shnitman, Ariel Shachar, Ram Izhaki, Gilad Shainer, Aviram Gutman, Benny Koren, Dafna Levenvirth, Gil Bloch, Yael Shenhav described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(c).  
\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averting to their status as small entities. (37CFR 1.27).

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR {1.28}(b)).  
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING M. KAGAN  
TITLE OF PERSON OTHER THAN OWNER V.P.  
ADDRESS OF PERSON SIGNING 71 HASKOMER ST, ZICHRON YAAKOV, ISRAEL

SIGNATURE [Signature] DATE 8/10/01